



MEMORANDUM

TO: Milli Martin, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: David R. Carey, Borough Mayor *DR Carey*

FROM: Colette Thompson, Borough Attorney *CT*
Duane Bannock, Spruce Bark Beetle Program Manager *DB*

DATE: August 3, 2009

SUBJECT: Proposed Amendment to Ordinance 2009-38, Amending KPB Chapters 17.08, 17.10, and 17.50 to Clarify Procedures for Planning and Disposition of Forest Resources for Commercial and Personal Uses.

The administration requests that the assembly amend ordinance 2009-38 to delete the reference to KPB 17.10.170 from Section 9, KPB 17.50.030D. As KPB 17.10.170 is deleted in Section 3 of the ordinance, the statement in KPB 17.50.030D that it does not apply is meaningless. Following is the proposed amendment:

- Amend KPB 17.50.030 D. by deleting the last sentence as follows:

D. Nothing contained in this title shall limit the authority of the mayor to dispose of forest resources in any manner deemed necessary [IN HIS/HER DISCRETION], whether or not for cash or other consideration where the primary purpose for removing forest resources is to remove hazard trees that are a direct threat to people or facilities. ~~KPB 17.10.170 shall not apply to the removal of hazard trees on borough lands.~~

Your approval would be appreciated.